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January 9, 2008

**BY E-FILE**

The Honorable Joseph J. Farnan, Jr.  
United States District Court, District of Delaware  
844 North King Street  
Wilmington, DE 19801

Re: *NICE Systems, Inc. and NICE Systems, Ltd. v. Witness Systems, Inc.*  
C.A. No. 06-311 (JJF)

Dear Judge Farnan:

I write on behalf of my clients, Plaintiffs NICE Systems, Inc. and NICE Systems, Ltd. (collectively "NICE"), to advise that, in an effort to streamline this action scheduled for trial beginning January 14, 2008, my clients have determined to further narrow the number of claims at issue in the manner described more specifically below.

Specifically, NICE has determined to withdraw 2 additional claims:

1. '345 Patent: claims 14, 48 (2 claims)

The following 11 claims remain for trial:

1. '371 Patent: claims 1, 8 (2 claims)
2. '570 Patent: claim 6 ( 1 claim)
3. '372 Patent: claims 1, 15, 33 (3 claims)
4. '920 Patent: claims 1, 16, 21 (3 claims)
5. '109 Patent: claims 1, 6 (2 claims)

YOUNG CONAWAY STARGATT & TAYLOR, LLP

The Honorable Joseph J. Farnan, Jr.

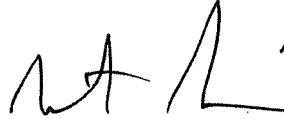
January 9, 2008

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A form of order formalizing that NICE has withdrawn these claims is being filed contemporaneously with this letter.

Counsel is available should the Court have any questions.

Respectfully,

A handwritten signature in black ink, appearing to read 'MTS', is positioned above the typed name.

Monté T. Squire (No. 4764)

MTS:mts

cc: Monté T. Squire, Esq.  
Scott Lindvall, Esq.  
Clerk of the Court (by Hand Delivery)  
William J. Marsden Jr., Esquire (by Email)

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

NICE SYSTEMS, INC., and	)	
NICE SYSTEMS, LTD.,	)	
	)	
Plaintiffs,	)	
v.	)	Civil Action No. 06-311-JJF
	)	
WITNESS SYSTEMS, INC.,	)	
	)	
Defendant.	)	

**PROPOSED ORDER**

At Wilmington, this \_\_\_\_ day of \_\_\_\_\_, 2008, Plaintiffs NICE Systems, Inc. and NICE Systems, LTD (collectively "NICE") having voluntarily withdrawn 2 additional claims:

IT IS HEREBY ORDERED that the following 2 claims are withdrawn:

1. '345 Patent: claims 14, 48 (2 claims)

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United States District Judge